

16. 2007SP-155U-14

Taxi USA of Tennessee
Map 094-00, Parcel 043
Subarea 14 (2004)
Council District 15 - Phil Claiborne

A request to change from CS to SP zoning and for final site development approval for property located at 1510 Lebanon Pike, approximately 200 feet east of Spence Lane (1.77 acres), to permit automobile convenience, vehicular rental/leasing, vehicular sales and service, limited, and all other uses permitted by the CS zoning district, requested by Adams and Reese LLP, applicant, for William H. Bodenhamer, Jr. et al Trust, owners.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST - Preliminary SP and Final Site Plan

A request to change 1.77 acres from Commercial Service (CS) to Specific Plan (Auto Uses) (SP(A)) zoning property located at 1510 Lebanon Pike for preliminary development plan and final site plan approval to permit automobile convenience, vehicular rental/leasing, vehicular sales and service, limited, and all other uses permitted by the Commercial Service zoning.

Existing Zoning

CS District - Commercial Service is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses.

Proposed Zoning

SP District - Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a base zoning district, not an overlay. It will be labeled on zoning maps as “SP-A.”
- The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined for the specific development and are written into the zone change ordinance, which becomes law.
- Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.
- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

DONELSON – HERMITAGE COMMUNITY PLAN

Commercial Arterial Existing (CAE) - CAE policy is intended to recognize existing areas of “strip commercial” which is characterized by commercial uses that are situated in a linear pattern along arterial streets between major street intersections. The intent of this policy is to stabilize the current condition, prevent additional expansion along the arterial, and ultimately redevelop into more pedestrian friendly areas.

Consistent with Policy? Yes. The proposed specific plan provides for uses identified in the Commercial Arterial Existing land use policy, specifically office, automobile rental, sales and service. The scale and orientation of the existing building to the street complements the pedestrian environment.

PLAN DETAILS

Site Plan - The site contains an existing 1,351 square foot, brick building on 1.77 acres of land. The building is used as a taxi cab dispatch center. A 379 square foot detached garage is located on the east side of the dispatch facility. No new structures are proposed by this plan.

The purpose for the requested zone change to Specific Plan zoning is to allow for the continued use of

vehicular renting, leasing, sales and service of new and used taxi cabs on the site. These uses are currently prohibited under the existing CS zoning.

The proposed site is surrounded by industrial uses to the north and commercial uses on the southeast and west corner of Lebanon Pike and Spence Lane.

Access - Main access into the site is located off of Lebanon Pike.

Parking - The plan calls for a total of eleven parking spaces for staff and one additional handicap parking space.

Staff Recommendation - The proposed specific plan complies with the land use policy, staff recommends approval with conditions.

HISTORY - On January 22, 2004, The Planning Commission recommended approval for a request to rezone this property to Commercial Service (CS). This request was approved by the Metro Council on March 22, 2004.

PUBLIC WORKS RECOMMENDATION - Show and dimension right of way along Lebanon Pike at property corners. Label and show reserve strip for future right of way, 54 feet from centerline to property boundary, consistent with the approved major street plan (U6-108'ROW).

Maximum Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office(710)	1.77	0.6	46,260	737	102	131

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Used Car Sales()	1.77	n/a	3,000*	101	7	8

*estimated building square footage

Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	1.77		-43,260	-636	-95	-123

CONDITIONS

1. Show and dimension right of way along Lebanon Pike at property corners. Label and show reserve strip for future right of way, 54 feet from centerline to property boundary, consistent with the approved major street plan (U6-108'ROW) on revised site plan.
2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the CS zoning district at the effective date of this ordinance, which must be shown on the plan.
3. The application, including attached materials, plans, and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning. Except as otherwise noted herein, the application, supplemental

information and conditions of approval shall be used by the planning department and department of Codes Administration as the final site plan. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.

4. All existing landscaping shall remain.
5. All parking areas shall be paved with asphalt. Existing gravel area shall be paved within 120 days of the effective date of the ordinance and prior to the issuance of any final use and occupancy permit.
6. No chain link fence shall be within 25 feet of any public right of way. No razor wire, barbed wire or similar materials shall be allowed on the property. All light and glare shall be directed on-site to ensure surrounding properties are not adversely affected by increases in direct ambient light. All signs shall be either monument or on-building signage. Pole mounted signs shall not be permitted. Any existing billboards shall be removed within two years from the effective date of the enacting SP ordinance by Metro Council.
7. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions upon review of the building permit. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through the enacting ordinance, or add vehicular access points not currently present or approved.
8. Within 120 days of Planning Commission approval of this final SP plan, and in any event prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the final SP plan for filing and recording with the Davidson County Register of Deeds.

Approved with conditions, (7-0) **Consent Agenda**

Resolution No. BL2007-310

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-155U-14 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

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2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the CS zoning district at the effective date of this ordinance, which must be shown on the plan.
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 8. Within 120 days of Planning Commission approval of this final SP plan, and in any event prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the final SP plan for filing and recording with the Davidson County Register of Deeds.
- The proposed SP district is consistent with the Donelson/Hermitage Community Plan's Commercial Mixed Concentration policy which is intended to include medium high to high density residential, all types of retail, commercial and office uses."**